

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	04-00246-01/05-CR-W-DW
RAMONE D. STILLMAN,)	
LOREN W. MAY, JR.,)	
JORAE E. MAY,)	
DERRICK L. MAY,)	
and)	
LOREN W. MAY, SR.,)	
)	
Defendants.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on May 13, 2003, and May 16, 2005. Defendant Ramone Stillman appeared in person and with counsel William Shull. Defendant Loren W. May, Jr., appeared in person and with counsel Roderick Smith. Defendant Jorael E. May appeared in person and with counsel James Bell. Defendant Derrick May appeared in person and with counsel Dan Herrington. Defendant Loren May, Sr., appeared in person and with counsel Kurt Marquart. The United States of America appeared by Assistant United States Attorney Brent Powell.

I. BACKGROUND

On December 16, 2004, a second superseding indictment was returned charging all defendants with conspiracy to distribute crack cocaine, in violation of 21 U.S.C. § 846. In addition, defendant Ramone Stillman is charged with one count of distribution of crack cocaine, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C); one count of distribution of crack cocaine, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A); and one count of attempting to distribute crack cocaine, in violation of 21 U.S.C. § 846.

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. Powell announced that he will be the trial counsel for the government. The case agent to be seated at counsel table is Charles “Tiger” Parson, Buchanan County Drug Strike Force.

Mr. Shull announced that he will be the trial counsel for defendant Ramone Stillman.

Mr. Smith announced that he will be the trial counsel for defendant Loren W. May, Jr.

Mr. Bell announced that he will be the trial counsel for defendant Jorael E. May.

Mr. Herrington announced that he will be the trial counsel for defendant Derrick May.

Mr. Marquart announced that he will be the trial counsel for defendant Loren W. May, Sr.

III. OUTSTANDING MOTIONS

There are no pending motions in this case.

IV. TRIAL WITNESSES

Mr. Powell announced that the government intends to call 15 to 20 witnesses without stipulations or 13 to 18 witnesses with stipulations during the trial.

Mr. Shull announced that defendant Ramone Stillman intends to call four to five witnesses without stipulations and two to three witnesses with stipulations during the trial. The defendant may testify.

Mr. Smith announced that defendant Loren W. May, Jr., intends to call two to three witnesses during the trial. The defendant may testify.

Mr. Bell announced that defendant Jorael E. May intends to call two to three witnesses during the trial. The defendant may testify.

Mr. Herrington announced that defendant Derrick May intends to call two to three witnesses during the trial. The defendant may testify.

Mr. Marquart announced that defendant Loren W. May, Sr., intends to call two to three witnesses during the trial. The defendant may testify.

V. TRIAL EXHIBITS

Mr. Powell announced that the government will offer approximately 100 exhibits in evidence during the trial.

Mr. Shull announced that defendant Ramone Stillman will offer approximately three to five exhibits in evidence during the trial.

Mr. Smith announced that defendant Loren W. May, Jr., will offer approximately five to ten exhibits in evidence during the trial.

Mr. Bell announced that defendant Jorael E. May will offer approximately three to five exhibits in evidence during the trial.

Mr. Herrington announced that defendant Derrick May will offer approximately three to five exhibits in evidence during the trial.

Mr. Marquart announced that defendant Loren W. May, Sr., will offer approximately two exhibits in evidence during the trial.

VI. DEFENSES

Mr. Shull announced that defendant Ramone Stillman will rely on the defense of general denial.

Mr. Smith announced that defendant Loren W. May, Jr., will rely on the defense of general denial.

Mr. Bell announced that defendant Jorael E. May will rely on the defense of general denial.

Mr. Herrington announced that defendant Derrick May will rely on the defense of general denial.

Mr. Marquart announced that defendant Loren W. May, Sr., will rely on the defense of general denial.

VII. POSSIBLE DISPOSITION

Mr. Shull stated this case is definitely for trial.

Mr. Smith stated this case may be for trial.

Mr. Bell stated this case is definitely for trial.

Mr. Herrington stated this case is probably not for trial.

Mr. Marquart stated this case is definitely for trial.

VIII. STIPULATIONS

Stipulations are likely as to chain of custody and chemist's reports.

IX. TRIAL TIME

Counsel were in agreement that this case will take three to four days to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed February 25, 2005, counsel for each party file and serve a list of exhibits he intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by May 13, 2003;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, May 18, 2003;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions by or before noon, Wednesday, May 18, 2003. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and, if available to counsel, 3 and 1/2 inch computer disk in a form compatible with WordPerfect 9.0, 10.0, or 11.0.

XI. UNUSUAL QUESTIONS OF LAW

No motions in limine are anticipated. There are no unusual questions of law.

XII. TRIAL SETTING

All counsel and the defendants were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on May 23, 2003. This case has been specially set on the second week of the trial docket, and will commence on May 31, 2005.

/s/ Robert E. Larsen
ROBERT E. LARSEN
U. S. Magistrate Judge

Kansas City, Missouri
May 16, 2005

cc: The Honorable Dean Whipple
Mr. Brent Powell
Mr. William Shull
Mr. Roderick Smith
Mr. James Bell
Mr. Dan Herrington
Mr. Kurt Marquart
Mr. Jeff Burkolder